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## Turkey

### Food and Agricultural Import Regulations and Standards

### Country Report

**2004**

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**Report Highlights:**

Within the Turkish Ministry of Agricultural and Rural Affairs (MARA), the General Directorate of Protection and Control is the competent authority that performs official food control in accordance with Turkish Food Law. In May 2004 Turkey published a new food law that is ultimately the framework for harmonizing Turkish food law with the EU. In a significant change, this decree transfers some regulatory responsibility from the Ministry of Health to MARA. This decree also establishes a multi-agency National Food Codex Commission that will review and authorize any revisions to the Turkish Food Codex. The establishment of this commission is expected to take several months and is likely to further delay the harmonization process as well as any other pending changes to the Turkish Food Codex.

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This report was prepared by the Office of Agricultural Affairs of the USDA/ Foreign Agricultural Service in Ankara, Turkey for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before and goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

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**Section I: Food Laws**

On May 27, 2004, Turkey published a new law entitled the Law on the Production, Consumption and Inspection of Food. This is a framework law for the harmonization of Turkish food regulations with relevant EU regulations. As this is a framework law, regulations pertaining to its implementation will be forthcoming in the near future.

In addition to the May 27 Food Law, the Turkish food industry and food imports are primarily regulated by three related laws and regulations: the June 24, 1995 Turkish Food Law; the November 16, 1997 Turkish Food Codex and the June 8, 1998 Food Regulation. In recent years, according to the National Program for Harmonization, the GOT has been updating significant portions of the Codex to comply with EU regulations by publishing changes in the Official Gazette. The current Turkish Food Codex is available at [www.kkgm.gov.tr](http://www.kkgm.gov.tr). Advance notifications of such changes are not normally provided to foreign governments.

The May 27, 2004 Law on the Production, Consumption and Inspection of Food provides a new framework for developing and implementing changes to specific standards such as the Turkish Food Codex. The objective is the complete harmonization with EU regulations, and ultimately all of these regulations will be reviewed by the EU Commission itself. This law calls for the creation of a yet-to-be established National Food Codex Commission whose responsibility will be to prepare, review and approve all changes to the Turkish Codex, including those changes that take place through EU harmonization. The Commission consists of two members from the Agriculture Ministry, one from Ministry of Health, two scientists with expertise on food (one assigned by Min. Ag and one from Min. Health), one member from the Turkish Standards Institute, and one member from a non-governmental organization.

The establishment of the National Food Codex Commission is expected to be delayed several months. The current interpretation of the new food law is that all pending changes to the Turkish Food Codex will be postponed until the commission is formed. The 1998 Food Regulation which pertains heavily to import/export and domestic inspection will be completely changed to harmonize with EU regulations. The new food law also introduces new concepts to Turkish food law, such as "Precautionary Measures" and "Traceability".

The Ministry of Agriculture and Rural Affairs (MARA), General Directorate of Protection and Control (GDPC), has primary responsibility for production, import, and food safety issues regarding food, beverages, packaging material, veterinary products, feed and pesticide products. The General Directorate of Protection and Control has also recently obtained control over regulating the broad range of nutritional and dietary supplements.

All packaged products are required to have a license (registration) number issued by the Directorate after reviewing the results of laboratory tests on the product. The license number is valid for ten years and generally takes about two weeks to obtain. In addition to a laboratory analysis at the time of registration, the law requires products be inspected at the point of entry, wholesale and retail levels. The import process for each product culminates in the issuance (or not) of an import permit, or license. In Turkish this is called a "Kontrol Belgesi", or control document. For processed products, these licenses are required on each shipment and expire, in some cases, after six months. While these are intended to be health control documents, these import permits are often denied or delayed for technical and political reasons (as in the case of wheat, rice and corn).

While many U.S. foods are imported into Turkey without problems, some U.S. companies have had problems complying with Turkish requirements for certifications which are not normally issued in the United States. Requirements and standards for some imported foods may be stricter than those currently applied to domestically produced products. The General Directorate of Protection and Control has a somewhat conservative approach to

regulating imports of food and agricultural products. Strict and often-changing technical requirements for processed foods are intended to protect consumers and 'strategic' or 'national' products. For bulk agricultural commodities, seasonal import bans are enforced through the system of import licensing (and high tariffs) to protect domestic producers.

## **Section II: Labeling Requirements**

### **A. General Requirements**

Certain aspects of the Turkish regulation on packaging and labeling dated May 13, 1998 were updated on August 25, 2002 and published in the Official Gazette. In addition to the old requirements, the new regulation requires that if the product has more than 1.2 percent alcohol, the percentage of alcohol must be printed on the label. An imported food item may arrive in its original package, but a permanent 'sticker' label, in Turkish, must be attached to the package before it is marketed. There are three different sets of labeling requirements for foods, food additives and food flavoring. These are discussed further in Appendix III.

The following information must be printed on all imported food labels:

- Name and brand of product
- Name and address of producing company
- Name and address of importing company
- Production batch number and date
- Country of Origin
- Expiration date/shelf life (see below)
- Nutrition and caloric values
- Net weight/volume
- List of ingredients and additives
- Ministry of Agriculture production or import license number/and date
- Storage, preparation and usage instructions when needed
- Name and type of packing material
- Special warnings, if appropriate
- Percentage of alcohol (if the product contains more than 1.2 percent alcohol)

Label requirements are enforced by the Ministry of Agriculture and local municipality officials. If the product has a shelf life of less than three months, it must include the day/month/year of expiration, if the shelf life is more than three months but less than eighteen, the month and year are required and if the shelf life is more than three years, only the year is required. In the case of fruits and vegetables, which might be sold in bins or open stands, labels are required on the exterior of bulk packaging. Another regulation requires that labels for fruit "juices" specify whether the product contains fruit juice (90-100% concentration), nectar (20-50% concentration), or fruit drinks (up to 10% concentration).

There are several regulations which guide content and other implied claims. The Turkish Food Codex prevents inclusion of statements like "prevents or cures disease" on labels. Items with 25 percent reduced fat or energy content can use the word "light" on the label. Also, a new regulation identifying energy drinks was released on March 6, 2002 which limits caffeine levels to 150 mg per liter and requires health warnings on the label. Items that are suitable for individuals that have metabolism and digestion disorders and special physiological conditions can use "diet" on the label according to the regulation dated April 22, 2002.

To the best of our knowledge, there have been no cases where standard U.S. labeling was considered false or misleading.

## **B. Requirements Specific to Nutritional Labeling**

MARA updated its regulations related to nutritional labeling on August 25, 2002. Nutritional labeling is only required if the product is for a particular dietary requirement (such as diabetic) and if it is modified for that purpose. Nutritional values (by 100 gr. measures) must be included on labels for locally produced and imported nutritional products. Nutritional values should include protein, carbohydrate and fat content of the product. If the energy and/or fat content of a product is reduced by twenty-five percent, the word "reduced" should be printed on the label. The standard U.S. nutritional fact panel may be included on the label, but cannot replace the locally required information. Disputes regarding health claims in food should be submitted to the Ministry of Agriculture. Turkey's Competition Authority is also authorized to pursue claims of this sort.

## **Section III: Packaging and Container Regulations**

Turkish food packing material regulations were revised on Sept. 1 2003. The importation of some food packing materials may require an import license. Specific details are available at the website at [www.kkgm.gov.tr](http://www.kkgm.gov.tr). Turkish regulations include nine different standards for food grade packaging materials, including paper, glass, metal, and plastics like PET and PVC bottles. Sizes and types of packaging used for foods is generally flexible. A new regulation dated April 22, 2002 restricts contamination that may be caused by ceramic packing by limiting leakage of lead to food by 0.8 mg/dm<sup>2</sup>.

## **Section IV: Food Additive Regulations**

The Turkish Food Codex lists maximum amounts of additives allowed in food items (positive list) as well as conditions under which additives cannot be used. For example, it is forbidden to use added sweeteners in infant formulas and baby foods (0-3 years). The food additive section of the codex is quite detailed and is drafted to conform with EU regulations. It refers to the FEMA and COE codes for additives, when applicable. Of concern to exporters of processed products is that all flavors (which may be proprietary) be specifically listed in the application for product registration. See Appendix III for a partial list of labeling requirements for imported food additives and flavorings.

## **Section V: Pesticide and Other Contaminants**

The Turkish Food Codex lists the maximum level of pesticides and hormones which are permitted in food items (The list of permitted pesticides and hormones is about 12 pages long and is contained in Section 17 and 18 of the Codex). The Ministry of Agriculture is responsible for enforcing the regulation. All pesticides must be registered with the Ministry of Agriculture.

## **Section VI: Other Regulations and Requirements**

The importer is responsible for registering each product. The process can normally take up to two weeks. Radiation tests currently cost about \$80, while a normal laboratory analysis costs \$100. Laboratory testing is required for all packaged products and samples.

## **Section VII: Other Specific Standards**

The Turkish Government also maintains complex standards for poultry and meat imports (currently banned) and requires inspection of foreign slaughter houses by Turkish Ministry of Agriculture officials with the cost of their travel paid by the local importer.

In an effort to conform with EU policies, the GOT recently announced that it was prohibiting the inclusion of certain antibiotics in animal feeds. The feed and feed ingredient regulations were published recently in the December 2002 edition of the Turkish Feed Industry Association Feed Magazine. On January 7, 2003, Nifursol was banned for use as a feed ingredient. This regulation will go into effect on March 31, 2003.

**Section VIII: Copyright and Trademark Laws**

Companies must apply to the Turkish Patent and Trademark Institute for trademark registration. After the initial inspection and check, the trademark is announced in the Official Trademark Gazette for three months. If there are no objections during this period, the trademark can be registered. The process takes about four months and costs about \$100. While there was a flood of new legislation on copyright registration and trademarks in 1995 and since, in anticipation of EU accession, many of the regulations are not being enforced. With limited staffing, this organization is only somewhat effective in monitoring compliance. Additional legislation is pending which would strengthen applicable laws and penalties for copyright infringement.

**Section IX: Import Procedures****A. Import Regulations**

Imports of food products into Turkey are allowed only if they conform with Turkey's Food Codex Regulations. Turkey is currently trying to harmonize all of its food import regulations to those of the European Union system, as represented by the regulations that are contained in the Turkish Food Codex Regulation. Importers of food product samples are expected to follow the same procedures.

**B. The Import Process**

In order to import any foodstuff, an importer must first submit a written application to the Turkish Ministry of Agriculture, General Directorate of Protection and Control (see Appendix I). Attached to the application letter must be the following documents:

1. A completed import permit form obtainable from MARA/Protection and Control;
2. A Proforma Invoice;
3. An Analysis Report from government agency or under the exporting company's letterhead, providing physical, chemical, microbiological and heavy metal specifications on the product imported. Frozen seafood is exempted from this requirement. A dioxin free certificate is also required from all countries.
4. For consumer-ready products, a sanitary or phytosanitary certificate from the government food inspection agency of the country of origin stating that the product meets the phytosanitary requirements of the importing country, is fit for human consumption and is freely marketed in the country origin;
5. A sample of the Turkish label for the product.
6. For alcohol products, a "distribution certificate" provided by the producer's company to the importer and/or distributor indicating that the Turkish company is authorized to market and deliver the product in Turkey;
7. For "special" foods such as diet foods, foods for diabetics, vitamins, baby foods, etc. the importer must provide a written declaration that he will not advertise the foodstuff in such a way as to mislead the consumer.

The importer will normally receive written approval along with an approved import permit from the Ministry of Agriculture within one or two weeks.

**C. Customs Inspection and Documentation**

Upon entry of the product at Customs, the importer should be prepared to present the approved import license as well as other normal import documentation such as the bill of lading. In addition, the importer should be prepared to present Customs with the exporting company's analysis report for physical, chemical, microbiological and heavy metal content, and a phytosanitary certificate from the official food inspection agency of the country of origin stating that the product meets the phytosanitary requirements of the importing country.

Turkish Ministry of Agriculture officials take samples of the imported product to government laboratories for physical, chemical and microbiological analysis and confirm it matches the

information supplied from the exporting country. Import of the foodstuff is allowed if the results of the analysis are found to be acceptable and consistent with Turkish regulations, and the imports have been approved by the MARA. Results of the analysis are normally completed within a few working days.

In addition, if the foodstuff is a bulk or semi-processed commodity, it is checked by plant quarantine specialists or veterinarians for consistency with Plant Quarantine Law (Law No: 6968) and Animal Health Law (Law No: 3285). A new quarantine regulation which went into effect January 2003 and caused significant barriers for imports of grains, plant products, forest products and planting seeds has since been postponed to go into effect on July 7, 2003. The government is currently reviewing third-country quarantine requirements, in consultation with local industry and trade groups, to develop regulations which address GOT concerns and remain commercially viable.

### **Appendix I: Government Regulatory Agency Contacts**

Nihat Pakdil, General Director  
General Directorate of Protection and Control  
Ministry of Agriculture and Rural Affairs  
Akay Cad. 3, Ankara, Turkey  
Phone: (90 312) 425-7789 Fax: (90 312) 418-6318

There are 40 provincial food control laboratories, the largest being:

- 1) Ankara Provincial Food Control Laboratory Directorate Ankara, Turkey  
Phone: (90 312) 315-0089 or 315-8709 Fax: (90 312) 315 7934
- 2) Istanbul Provincial Food Control Laboratory Directorate Istanbul, Turkey  
Phone: (90 212) 663-3961 or 663-3959 Fax: (90 212) 663-4296
- 3) Izmir Provincial Food Control Laboratory Directorate Izmir, Turkey  
Phone: (90 232) 435-1481 or 435 0396 / 435-1481 / 435-6637  
Fax: (90 232)-462 4197

Turkish Patent Institute  
Izmir Cad. No. 28, Kizilay, Ankara  
Phone (90 312) 232-5425 Fax (90 312) 424 1263

Competition Authority (Mr. Fevzi Ozkan- Food Issues)  
B-3 Blok, Bilkent Plaza  
Ankara, Turkey  
Phone: (90 312) 266-6969/ext. 6007 Fax (90 312) 266-7920

### **Appendix II: Other Import Specialist Contacts**

U.S. exporters are advised to contact the FAS offices in Ankara or Istanbul for additional information and/or a list of private sector firms which can provide assistance with customs clearance and import regulation issues. In most cases, the importing company or agent should be familiar (and ultimately responsible for) existing regulations.

#### **Foreign Agricultural Service Offices in Turkey:**

American Embassy, Ankara  
110 Ataturk Blvd.  
Kavaklidere, Ankara  
Tel: +90-312-455-5555 ext. 2406  
Fax: +90-312-467-0056  
Email: [agankara@usda.gov](mailto:agankara@usda.gov)

American Consulate, Istanbul  
Kapalicalar Mevki Sokak  
Istinye, 334460 Istanbul  
Tel: +90-212-335-9000 ext. 9068  
Fax: +90-212-335-9077  
Email: [agistanbul@usda.gov](mailto:agistanbul@usda.gov)

**Appendix III:****A. Turkish Labeling for Imported Foodstuffs**

1. The name and address of the exporting company;
2. The name(s) and corresponding EU tariff number(s) of the food additive(s);
3. The names, uses, and amounts in decreasing order, of any other substances used to dilute, dissociate, standardize, or facilitate the storage and marketing of the food additive;
4. The specific usage and storage instructions, if needed;
5. A statement indicating that the additive can be used in food;
6. The lot and serial number;
7. The net quantity;
8. If the additive is to be used only in restricted amounts, the applicable percentage restrictions;
9. If the product is derived from an animal, indication of the animal type.
10. The date of production;
11. The expiration date, conforming with provisions of Section 9 of the TFCR on packaging and labeling;
12. The import permission date and number;
13. Artificial sweeteners such as aspartame which will be sold directly to the consumer should have a cautionary statement that the product if used in excess can cause diarrhea, and that the product includes phenylalanine if applicable.

**B. Turkish Labeling for Food Flavoring**

1. The name and address of the manufacturer or packer or seller company;
2. A statement indicating that this is a "Flavoring Substances" or a more specific description of the flavoring;
3. A statement indicating that this flavoring substance is suitable to be used in food;
4. The list of flavoring substances by their categories in decreasing order;
5. The names, classifications, and EU numbers in decreasing order of those flavoring substances listed in Article 2 of the Food Flavoring Section (Section VI) below, if they are used in the food;
6. The maximum quantities of those ingredients allowed are listed in Appendix 12
7. A statement indicating that this flavoring substance is "For Food Production";
8. Net quantity;
9. The lot or serial number;
10. The date of production and shelf life;
11. The import permission date and number;
12. The specific storage and usage conditions, if needed;

NOTE: If the food additive is sold directly to the consumer, the product should also contain instructions for use.

**C. Additional Information on Food Additives**

The classification, name or synonym, and EU food additive number, the name of the final food product that the food additive may be used in, the maximum amount of the food additive that may be used, and other technical requirements related to food additives are provided in Appendices 1 through 11 of the Turkish Food Codex Regulation (TFCR). Among the regulations contained in the TFCR are lists of 1) substances that may not be used as food additives 2) food items for which food additives are not allowed and 3) food items for which coloring materials may not be used. Those lists follow:

1. A partial list of substances that may not be used as food additives:
  - \* White or yellow dextrine, roasted or dextrinated starch, starch modified with acidic or alkaloid treatment, bleached starch, physically modified starch, and starch treated by enzymes,

- \* Ammonium chlorine,
  - \* All amino acids and their salts, glycine, cysteine, cystine and their salts, and those do not have an additive function,
  - \* Casein and caseinates,
  - \* Flavoring substances,
  - \* Minerals, vitamins and all other similar substances used to support nutritional values of the food.
2. A partial list of foods for which additives are not allowed:
- \* Bulk or semi-processed non processed commodities,
  - \* Honey,
  - \* Vegetable and livestock origin non emulsified solid and liquid fats and oils,
  - \* Naturally fermented but non-flavored milk products,
  - \* Sugar,
  - \* Dried pasta,
3. A partial list of foodstuffs for which food colorings are not allowed except under those conditions listed in Appendix 7 of the TFCR:
- \* Raw vegetable and livestock origin solid and liquid fats and oils,
  - \* Eggs and egg products,
  - \* Flour, flour products and starch,
  - \* Bakery products,
  - \* Pasta products,
  - \* Sugar,
  - \* Tomato paste and canned tomatoes,
  - \* Tomato origin sauces,
  - \* Fruit and vegetable juices and nectars,
  - \* Processed fruits, vegetables and mushrooms,
  - \* Chestnut paste,
  - \* Red and white meat, including sea products and poultry, and their products,
  - \* Roasted coffee, tea, and chicory and their extracts and mixes,
  - \* Wines,
  - \* Wine vinegars,
  - \* All baby foods,
  - \* Honey,
  - \* Malt and malt products,
  - \* Non flavored cheese,

In addition, the following criteria are applied to food additives:

- \* No artificial sweeteners may be used in baby food.
- \* Seasonings like paprika, saffron, turmeric etc. may be used in the production of food products because they are not considered to be coloring material.

#### **D. Additional Information on Food Flavorings**

Among the regulations governing the use of food flavorings are the following:

1. There must not be any item or element in such a dose in the flavoring substances which could have toxic effect.
2. The quantities of the elements in flavoring substances must not exceed the following limits:
  - Arsenic : 3 mg/kg
  - Lead : 10 mg/kg

- Cadmium : 1 mg/kg
  - Mercury : 1 mg/kg
3. The amount of 3.4 benzopyrene must not exceed 0.03 mg/kg.
  4. The maximum quantities of food flavoring substances are listed in Table 12 of the TFCR.
  5. If the flavoring substances are derived from a livestock product then the product type must be indicated.